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UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

FEDERAL TRADE COMMISSION,

Case No. 3:23-cv-02880-JSC

Plaintiff,

**DEFENDANTS' STATEMENT OF
WITNESSES AND EVIDENCE FOR JUNE
28, 2023, PURSUANT TO COURT ORDER
(ECF NO. 170)**

MICROSOFT CORPORATION and
ACTIVISION BLIZZARD, INC.

Dept.: Courtroom 8—19th Floor
Judge: Honorable Jacqueline S. Corley

DEFS.' STATEMENT OF WITNESSES AND
EVIDENCE FOR JUNE 28, 2023

CASE No. 3:23-cv-02880-JSC

1 Pursuant to the Court's Order Following June 21, 2023 Status Conference (ECF No. 170)
 2 ("Order"), Defendants Microsoft Corp. ("Microsoft") and Activision Blizzard, Inc. ("Activision") write
 3 to inform the Court that Defendants will call Dr. Elizabeth Bailey, Bobby Kotick, Satya Nadella, and
 4 Dr. Dennis Carlton as witnesses on Wednesday, June 28, 2023. Defendants understand that Plaintiff
 5 Federal Trade Commission ("FTC") also intends to call Satya Nadella and Jeff Fisher as witnesses on
 6 Wednesday, June 28, 2023. Jeff Fisher's testimony will be via deposition designation.

7 Defendants intend to use the following exhibits with these witnesses:

| 8 Witness | 9 Exhibit | 10 Declaration in Support 11 of Sealing or Redacting 12 the Exhibit¹ | 13 Cross-Reference |
|-------------------------------|--|--|---------------------------------|
| 14 Jeff Fisher | 15 RX0299 | 16 N/A | 17 N/A |
| 18 Dr. Elizabeth 19 Bailey | 20 RX5055 (Dr. Bailey 21 Expert Report) | 22 <i>In camera</i> , ECF No. 232 23 at 3 | 24 ECF No. 109-6 |
| 25 Bobby Kotick | 26 N/A | 27 N/A | 28 N/A |
| 29 Satya Nadella | 30 N/A | 31 N/A | 32 N/A |
| 33 Dr. Dennis 34 Carlton | 35 RX5056 (Dr. Carlton 36 Expert Report) | 37 <i>In camera</i> , ECF No. 232 38 at 4 | 39 ECF No. 109-35 |
| | 40 PX5000 (Dr. Lee 41 Corrected 42 Expert Report) | 43 <i>In camera</i> , ECF No. 232 44 at 4 | 45 ECF Nos. 12-25, 46 109-31 |
| | 47 PX5001 (Dr. Lee 48 Rebuttal 49 Report) | 50 <i>In camera</i> , ECF No. 232 51 at 4 | 52 ECF No. 109-37 |
| | 53 Dr. Lee Written 54 Direct 55 Testimony | 56 Redacted, ECF Nos. 232 57 at 4; 217 at 3:4, 3:10; 58 227 at 5-8 | 59 ECF No. 224 |

26
 27 ¹ Defendants do not seek to seal the exhibits that are listed here without citation to a supporting
 28 declaration.

